

ARTICLE APPEARED
ON PAGE 2

NEW YORK DAILY NEWS
9 March 1982

City counted out on census suit

By LAURENCE McQUILLAN

Washington (News-Bureau)—In a move that New York City says will cost it \$1 billion in federal aid, the Supreme Court rejected yesterday a suit by the city and state claiming that "hundreds of thousands" of blacks and Hispanics were not counted by 1980 census takers.

The decision appeared to doom about 50 similar court actions against the Census Bureau. The justices' rejection of the New York appeal indicated they had no desire to get involved in second-guessing the official federal population count.

That figure is employed by many federal aid programs to distribute funds. The count also determines the size of each state's delegation to the House of Representatives.

LAST MONTH, the justices turned back a challenge by the City of Denver and by Essex County, N.J., which sought to examine a list of addresses of those counted so the accuracy could be checked. The high court decided this would violate the confidentiality of census information.

In other actions yesterday, the justices:

- Upheld a Westchester County ordinance outlawing "head shops," which sell drug paraphernalia. The court dismissed challenges to the law adopted as part of community efforts

to stem the spread of drug abuse. Last week, the court upheld a ban on sales of such paraphernalia to minors.

- Unanimously found that business-based political action committees (PACs) have no special right to speedy review of their charge that restrictions on them are unconstitutional. The ruling leaves intact for now a Federal Election Commission ban on trade associations' using corporate funds to solicit campaign contributions.

- Dismissed as moot a bid by Sun Myung Moon to force the Central Intelligence Agency to release classified documents on his Unification Church and its members. The justices were told that the church no longer was seeking the documents.

- Said that it will decide whether police can demand identification if they think a citizen is suspicious—and whether it can be a crime for the suspect not to comply.

The case was sparked by a 1977 challenge to a California law by Edward Lawson, who had been arrested under its provisions 15 times. The law makes it a crime for a person who "loiters or wanders" in public not to identify himself or account for his presence when asked to do so by a police officer.

The 9th Circuit Court of Appeals ruled last Oct. 15 that because the law was "unconstitutionally vague" it violated the protection against unreasonable arrests and searches provided by the Fourth Amendment. ■

Won't let UFOs land in top court

Washington (UPI)—The super-secret National Security Agency won a Supreme Court victory yesterday when the justices refused to hear an appeal by some flying-saucer buffs who demanded access to 135 UFO-related documents held by the NSA.

The high court, without comment, decided to avoid a close encounter with a New York City-based group called Citizens Against UFO Secrecy, which sought the materials under the Freedom of Information Act.

The justices rejected an appeal of a lower court order allowing the NSA to keep the documents secret.